

1 Edwin Aiawazian (Cal. State Bar No. 232943)

2 edwin@calljustice.com

3 Arby Aiawazian (Cal. State Bar No. 269827)

4 arby@calljustice.com

5 Tara Zabehi (Cal. State Bar No. 314706)

6 tara@calljustice.com

7 **LAWYERS for JUSTICE, PC**

8 450 North Brand Blvd., Suite 900

9 Glendale, California 91203

10 Tel.: (818) 265-1020 / Fax: (818) 265-1021

11 Attorneys for Plaintiff Sheila Kincaid and the Class

12 [Additional Counsel Listed on Following Page]

13

14 **UNITED STATES DISTRICT COURT**

15 **EASTERN DISTRICT OF CALIFORNIA**

16
17
18
19
20
21
22
23
24
25
26
27
28
SHEILA KINCAID; individually, and on
behalf of other members of the general
public similarly situated,

Plaintiff,

vs.

EDUCATIONAL CREDIT
MANAGEMENT CORPORATION, an
unknown business entity; ECMC GROUP,
an unknown business entity; and DOES 1
through 100, inclusive,

Defendants.

Case No. 2:21-CV-00863-TLN-JDP

Honorable Troy L. Nunley

**STIPULATION TO REMAND ACTION TO
STATE COURT; ORDER**

Complaint Filed: February 26, 2021
Trial Date: None Set

1 Jill J. Parker (Cal. State Bar No. 274230)
2 jill@parkerminne.com
3 S. Emi Minne (Cal. State Bar No. 253179)
4 emi@parkerminne.com
PARKER & MINNE, LLP
5 700 S. Flower Street, Suite 1000
6 Los Angeles, California 90017
7 Tel.: (310) 882-6833 Fax: (310) 889-0822

8 Attorneys for Plaintiff Sheila Kincaid and the Class

9
10 **DILLINGHAM & MURPHY, LLP**
11 CARLA J. HARTLEY (CA SBN 117213)
12 155 Sansome Street, Suite 700
13 San Francisco, California 94104
14 Telephone: (415) 397-2700
15 Facsimile: (415) 397-3300
16 cjh@dillinghammurphy.com
17 ccc@dillinghammurphy.com

18 Attorneys for Defendants
19 EDUCATIONAL CREDIT
20 MANAGEMENT CORPORATION and
21 ECMC GROUP

1 **TO THE HONORABLE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:**

2 Plaintiff Sheila Kincaid (“Plaintiff”) and Defendants Educational Credit Management
3 Corporation and ECMC Group (“Defendants”) (together, the “Parties”) respectively submit the
4 following Joint Stipulation as follows:

5 WHEREAS, on February 26, 2021, Plaintiff filed her original Class Action Complaint
6 (“Complaint”) in the Superior Court of the State of California for the County of Sacramento, Case No.
7 34-2021-00295336 (the “State Court Action”), asserting the following ten causes of action on a class-
8 wide basis: (1) Unpaid Overtime; (2) Unpaid Meal Period Premiums; (3) Unpaid Rest Period Premiums;
9 (4) Unpaid Minimum Wages; (5) Final Wages Not Timely Paid; (6) Wages Not Timely Paid During
10 Employment; (7) Non-Compliant Wage Statements; (8) Failure to Keep Requisite Payroll Records; (9)
11 Unreimbursed Business Expenses; and (10) Violation of California Business & Professions Code
12 sections 17200 et seq.;

13 WHEREAS, on May 12, 2021, Defendants removed the State Court Action to this Court;

14 WHEREAS, on May 20, 2022, the Parties participated in a private mediation and were unable
15 to settle this case;

16 WHEREAS, the Parties conducted significant pre-certification discovery, including written
17 discovery consisting of interrogatories, requests for admission, requests for production of documents,
18 as well as party depositions, expert depositions, and percipient witness depositions;

19 WHEREAS, on March 29, 2024, the Court certified a class in this case;

20 WHEREAS, following the Court’s class certification ruling, the Parties agreed to attend a
21 second mediation before Monique Ngo-Bonnici, an experienced wage-and hour-class action mediator,
22 on April 14, 2025;

23 WHEREAS, with the aid of the mediator’s evaluations and under the auspices of the mediator,
24 the Parties have reached a settlement, which, if granted court approval, will resolve the Action in its
25 entirety;

26 WHEREAS, after meeting and conferring, the Parties have agreed that the appropriate
27 jurisdiction for approval of the settlement in this Action is the Superior Court for the State of California,
28 County of Sacramento and that remand of this action is in the interest of judicial efficiency and cost

1 savings;

2 IT IS HEREBY STIPULATED AND AGREED BETWEEN THE PARTIES, BY AND
3 THROUGH THEIR COUNSEL OF RECORD, THAT:

4 The Action shall be remanded to the Superior Court for the State of California, County of
5 Sacramento.

6 **IT IS SO STIPULATED.**

7 Dated: July 1, 2025

PARKER & MINNE, LLP

8 By: /s/ Jill J. Parker
9 Jill J. Parker
10 Attorneys for Plaintiff and the Class

11 Dated: July 1, 2025

DILLINGHAM & MURPHY, LLP

12 By: /s/ Carla J. Hartley
13 Carla J. Hartley
14 Attorneys for Defendants

15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **ORDER**
2
3
4

5 The Court, having received and reviewed the foregoing Joint Stipulation to Remand Action to
6 State Court, and good cause appearing, hereby GRANTS the Parties' joint request and ORDERS the
7 following:
8

9 This action, Eastern District of California Case No. 2:21-CV-00863-TLN-JDP, is hereby
10 remanded to the Superior Court of California, County of Sacramento, Case No. 34-2021-
11 00295336; and
12

13 In the event the Sacramento Superior Court does not enter a judgment and order granting final
14 approval of the Parties' settlement and the Parties file a stipulation to remove the case again to
15 this Court, the Court shall reopen the current case.
16

17 **IT IS SO ORDERED.**
18

19 Dated: July 1, 2025
20

21 
22 _____
23 Troy L. Nunley
24 Chief United States District Judge
25
26
27
28